REMARKS

Claims 1-9 are pending. Claims 1-9 have been amended. No new matter has been added by way of this amendment. Reconsideration of the application, as amended, is respectfully requested.

Claims 1-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,497,504 ("*Acampora*").

The invention is directed to a method and system for controlling admission to a network by taking into account differences between the resource usage of different bearers (see page 3, lines 22-24 of the specification). This is achieved by using a two-part admission control test, in which a first kind of test is used to monitor all bearers in roughly the same way, and a second kind of test is used to specifically monitor bearers that are using large amounts of system resources (see page 3, lines 29-31).

In contrast, *Acampora* relates to call admission and connection controls in mobile communications systems (see col. 1, lines 5-8). *Acampora* states, cells in a mobile communications system are grouped in one or more cell clusters. Each cell-cluster is assigned a cell-cluster controller for controlling admission of new calls. Each cell-cluster controller is capable of receiving call requests from the cell-cluster assigned thereto. The call requests include requests for establishing new wireless connections of different connection types. These connection types are indicative of at least priorities of use of wireless channels in the mobile communications system (see col. 2, lines 41-50). However, *Acampora* fails to teach the present claimed invention. Specifically, *Acampora* fails to teach the step of "testing a bearer request with a first kind of test that sets criteria for non-controllable traffic load components in a similar way for all bearer requests upon an occurrence of [an] admission control of requests for bearers that are allowed to comprise controllable load components and non-controllable load components," as recited in amended independent method claim 1.

Acampora teaches a two part test (see Fig. 5 and col. 7, line 35 to col. 8, line 13. The first test of *Acampora* is a simple check on the number of connections that are already admitted to the network (ref. designations 505, 507 and 509). If a connection of a specific type has been requested and a maximum number of connections of that type already exists, the access request is immediately refused. The second test, at step 515, checks to determine whether "local policies" are satisfied. *Acampora* (col. 7 line 65 to col. 8, line 3) teaches that the "local policies" include "the sharing and scheduling policies of the different call classes in the cell". In other words, even if a cell could accommodate a connection of a specific type by looking at just the

number of connections of that type, it is possible for a predefined amount or form of allocateable radio capacity in a pool of resources fixed for that type of connections to not exist, in which case the admission control algorithm again refuses the access request.

Acampora fails to teach any differentiation between the controllable or non-controllable load components represented by the access request. *Acampora* simply handles the access request as a representative of the bulk of a connection of a certain type. The access request is either granted as a whole or refused, which means that the connection is either provided with all the capacity it requested or is provided with none. Hence, *Acampora* fails to teach or suggest anything that could be interpreted as steps associated with the controllability or non-controllability of load components, as set forth in amended independent method claim 1. In view of the foregoing, method claim 1 is patentable over *Acampora*, and therefore reconsideration and withdrawal of the rejection under 35 U.S.C. 102(b) are in order, and a notice to that effect is earnestly solicited.

Independent claim 8 is the system claim associated with the implementation of independent method claim 1. Accordingly, independent system claim 8 is patentable over *Acampora* for the reasons discussed above with respect to independent method claim 1.

Based on the patentability of independent claims 1 and 8, for the reasons set forth above, dependent claims 2-7 and 9 are also patentable over the cited prior art.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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